

Appl. No. 10/666,000
Amdt. dated October 31, 2005
Reply to Office Action of September 7, 2005

PATENT

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 1. This sheet, which includes Fig. 1 replaces the original sheet including Fig. 1.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

Claims 1-12 are pending, of which claims 4-6 and 10 are withdrawn as being drawn to a nonelected species. Claims 1, 2, and 9 have been amended. New claims 11 and 12 have been added. No new matter has been introduced. Applicant believes the claims comply with 35 U.S.C. § 112.

Applicant notes with appreciation the indicated allowability of claims 7 and 8 if rewritten in independent form. The claims have not been rewritten at this time because Applicant believes claim 1 from which claims 7 and 8 depend is patentable.

Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Tomiyama et al. (US 6,657,804).

Applicants respectfully submit that claim 1 is novel and patentable over Tomiyama et al. because, for instance, Tomiyama et al. does not teach or suggest a write inhibit slice setting device for, when data is written to said recording medium, setting a write inhibit slice for said each sector based on a recording state of said each sector on said recording medium.

Tomiyama discloses changing write inhibit slice values for tracks. Write inhibit slice values for an inner peripheral side offset is made smaller than a write inhibit slice value for an outer peripheral side offset at a position where an erase band on the inner peripheral side is greater than an erase band on the outer peripheral side, so that the adjacent track on the outer peripheral side cannot easily erase a data track. This is because of the skew angle.

In contrast, the claimed invention changes the write inhibit slice within the track, according to sectors, which is different from Tomiyama. This reduces erasures from neighboring sectors when increasing track density. See paragraph [0047] at page 8. Thus, the aim and effect are different from Tomiyama.

For at least the foregoing reasons, claim 1 and claims 2 and 3 depending therefrom are novel and patentable over Tomiyama.

Claim 9 has been amended to overcome the rejection under 35 U.S.C. § 112, second paragraph. Accordingly, Applicants believe claim 9 is allowable.

Applicant respectfully submits that new independent claim 11 is patentable over the cited art because, for instance, the cited art does not teach or suggest a write inhibit slice setting circuit that sets write inhibit slice according to the position within the track. As discussed above, Tomiyama discloses changing write inhibit slice values for tracks but is devoid of any teaching or suggestion for setting write inhibit slice according to the position within the track. For at least the foregoing reasons, claim 11 and claims 12 depending therefrom are patentable.

Because independent claim 1 is generic, Applicant respectfully asserts that withdrawn claims 4-6 are now allowable.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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Attachments
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Annotated Sheet Showing Changes



FIG. 1

